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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,841	07/20/2001	Hiroji Saito	9683/87	3103
7590	02/12/2004			EXAMINER
Brinks Hofer Gilson & Lione PO Box 10395 Chicago, IL 60610			LE, DUY K	
			ART UNIT	PAPER NUMBER
			2685	

DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/889,841	SAITO ET AL.	
	Examiner	Art Unit	
	Duy K Le	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
 - 4a) Of the above claim(s) 1-3, 10-11, 15 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 4-9, 12-14, 16 and 17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 4-9, 12-14, 16 and 17 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,5,6,7.
- 4) Interview Summary (PTO-413) Paper No(s). _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Election/Restrictions

1. During a telephone conversation with Attorney Tadashi Horie on 1/23/04, a provisional election was made without traverse to prosecute the invention of Saito, claims 4-9, 12-14, and 16-17. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-3, 10-11, and 15 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 4-5, 9, and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Iwasaki et al. (JP 10200493 A) (English Translation).

As to claim 4, the Iwasaki reference discloses an information delivery system comprising:

a database for storing first information with a high frequency of request and second information with a lower frequency of request as compared with said first information (“the center server CSV distributes content items such as wide area information to the PHS terminals PS1 to PSn and distributes content items to the local server LSV. The local server provides content items of broadcasting programs distributed from the center server CSV and information

Art Unit: 2685

content items closely relating to a region in which the base station CS1-CSm is disposes" (page 21, paragraph [0059], lines 1-6). "In relation to a content item on which a large number of requests concentrate, i.e., a popular content item, a plurality of dedicated channels are reserved, and such a content item is provided in a broadcasting form" (page 26, paragraph [0077], lines 1-3). "Upon receipt of the request from the PHS terminal PS1, the base station CS1 judges whether the request is a communication request or a broadcasting service request" (page 23, paragraph [0067], lines 1-3));

a broadcast station for obtaining said first information from said database to deliver the first information by utilizing broadcast waves ("when the service selected by the user is a broadcasting service, the PHS terminal PS1 radio-transmits to the local server LSV a request for a desired broadcasting program service (step 106). Upon receipt of the request, the base station CS1 releases the communication channel and allots a dedicated communication channel (a broadcasting channel) through which broadcasting is performed at all times. Subsequently, the PHS terminal PS1 obtains the desired content item from the allotted broadcasting channel (step 107)" (page 23, paragraph [0069], lines 1-9));

an information delivery device for obtaining said second information from said database to deliver the second information in response to a request ("in this case, since the request is a communication request, on the basis of the received communication request, the base station CS1 allots to the PHS terminal PS1 a free communication channel among the plurality of communication channels, whereby communications with the PHS terminal PS1 are enabled. Subsequently, the PHS terminal PS1 requests a desired content item by use of the allotted

Art Unit: 2685

communication channel (step 104) and obtains the content item from the communication channel (step 105) (page 23, paragraph [0068], lines 1-7));

a mobile communication terminal served by a mobile communication network which is connected to said information delivery device, for requesting said information delivery device to deliver said information via said mobile communication network (“when the user has selected a desired service through operation the KB 34 (step 102), the PHS terminal PS1 radio-transmits a communication request to the local server LSV when the selected service is an ordinarily communication service. Upon receipt of the request from the PHS terminal PS1, the base station CS1 judges whether the request is a communication request or a broadcasting service request” (page 22, paragraph [0066] line 5 to page 23, paragraph [0067], line 3)); and

an information receiving terminal including first receiving means for receiving said information broadcast from said broadcast station and second receiving means for receiving said information delivered from said information delivery device, said information receiving terminal receiving said first information by said first receiving means when said mobile communication terminal requests to deliver said first information, while said information receiving terminal receiving said second information by said second receiving means when said mobile communication terminal requests to deliver said second information (for broadcasting service, “upon receipt of the request, the base station CS1 releases the communication channel and allots a dedicated communication channel (a broadcasting channel) through which broadcasting is performed at all times. Subsequently, the PHS terminal PS1 obtains the desired content item from the allotted broadcasting channel (step 107)” (page 23, paragraph [0069], lines 1-9). “In this case, since the request is a communication request, on the basis of the received

Art Unit: 2685

communication request, the base station CS1 allots to the PHS terminal PS1 a free communication channel among the plurality of communication channels, whereby communications with the PHS terminal PS1 are enabled. Subsequently, the PHS terminal PS1 requests a desired content item by use of the allotted communication channel (step 104) and obtains the content item from the communication channel (step 105) (page 23, paragraph [0068], lines 1-7)).

As to claim 5, the Iwasaki reference discloses an information delivery system comprising:

a database for storing first information with a high frequency of request, second information with a lower frequency of request as compared with said first information and decrypting keys for decrypting said first information and said second information (“when the PHS terminal PS1 requests the local server LSV to provide a desired content, an encryption key for the content items of the B company is passed from the local server LSV to the PHS terminal PS1” (page 24, paragraph [0070], lines 6-8). See also (page 21, paragraph [0059], lines 1-6), (page 26, paragraph [0077], lines 1-3), and (page 23, paragraph [0067], lines 1-3));

a broadcast station for obtaining said first information from said database to deliver the first information by utilizing broadcast waves (See (page 23, paragraph [0069], lines 1-9));

an information delivery device for obtaining said second information and said decrypting keys from said database to deliver said second information and said decrypting keys in response to a request (See (page 23, paragraph [0068], lines 1-7). “When the PHS terminal PS1 requests the local server LSV to provide a desired content, an encryption key for the content items of the

B company is passed from the local server LSV to the PHS terminal PS1” (page 24, paragraph [0070], lines 6-8));

a mobile communication terminal served by a mobile communication network which is connected to said information delivery device, for requesting said information delivery device to deliver said information via said mobile communication network (See (page 22, paragraph [0066] line 5 to page 23, paragraph [0067], line 3)); and

an information receiving terminal including first receiving means for receiving information broadcast from said broadcast station and second receiving means for receiving information delivered from said information delivery device, said information receiving terminal receiving, when said mobile communication terminal requests to deliver said first information, said first information by said first receiving means and the decrypting keys for said first information by said second receiving means, while said information receiving terminal receiving, when said mobile communication terminal requests to deliver said second information, said second information and the decrypting keys therefor by said second receiving means (See (page 23, paragraph [0069], lines 1-9) and (page 23, paragraph [0068], lines 1-7). “When the PHS terminal PS1 requests the local server LSV to provide a desired content, an encryption key for the content items of the B company is passed from the local server LSV to the PHS terminal PS1” (page 24, paragraph [0070], lines 6-8)).

As to claim 9, the Iwasaki reference discloses an information delivery system as defined in claim 5, further comprising means for counting the number of request for delivery operations for each information to be delivered and differentiating between said first information and said second information (“in relation to a content item on which a large number of requests

Art Unit: 2685

concentrate, i.e., a popular content item, a plurality of dedicated channels are reserved, and such a content item is provided in a broadcasting form" (page 26, paragraph [0077], lines 1-3)).

As to claim 16, the Iwasaki reference discloses a method of delivering first information with a high frequency of request and second information with a lower frequency of request as compared with said first information stored in a database, in response to a request from a mobile communication terminal served by a mobile communication network (See (page 21, paragraph [0059], lines 1-6), (page 26, paragraph [0077], lines 1-3), and (page 23, paragraph [0067], lines 1-3)): the method comprising:

a step in which an information delivery device receives a delivery request information, said delivery request information being transmitted from said mobile communication terminal and including specifying information for specifying a terminal to which information is to be delivered, and said information delivery device being connected to said mobile communication network via said mobile communication network ("when the user has selected a desired service through operation the KB 34 (step 102), the PHS terminal PS1 radio-transmits a communication request to the local server LSV when the selected service is an ordinarily communication service. Upon receipt of the request from the PHS terminal PS1, the base station CS1 judges whether the request is a communication request or a broadcasting service request" (page 22, paragraph [0066] line 5 to page 23, paragraph [0067], line 3). "In this case, since the request is a communication request, on the basis of the received communication request, the base station CS1 allots to the PHS terminal PS1 a free communication channel among the plurality of communication channels, whereby communications with the PHS terminal PS1 are enabled. Subsequently, the PHS terminal PS1 requests a desired content item by use of the allotted

Art Unit: 2685

communication channel (step 104) and obtains the content item from the communication channel (step 105) (page 23, paragraph [0068], lines 1-7)); and

a step of, when said delivery request information transmitted from said mobile communication terminal for requesting to deliver said first information is received by said information delivery device, obtaining said first information to be delivered from said database and transmitting the first information from a broadcast station by utilizing broadcast waves, while when said delivery request information transmitted from said mobile communication terminal for requesting to deliver said second information is received by said information delivery device, obtaining said second information to be delivered from said database and transmitting the second information from said information delivery device to said terminal to which such information is to be delivered, said terminal being specified by said specifying information included in said delivery request information (See (page 23, paragraph [0069], lines 1-9) and (page 23, paragraph [0068], lines 1-7)).

As to claim 17, the Iwasaki reference discloses a method of delivering first information with a high frequency of request and second information with a lower frequency of request as compared with said first information stored in a database, in response to a request from a mobile communication terminal served by a mobile communication network (See (page 21, paragraph [0059], lines 1-6), (page 26, paragraph [0077], lines 1-3), and (page 23, paragraph [0067], lines 1-3)): the method comprising:

a step in which an information delivery device receives a delivery request information, said delivery request information being transmitted from said mobile communication terminal and including specifying information for specifying a terminal to which information is to be

Art Unit: 2685

delivered, and said information delivery device being connected to said mobile communication network via said mobile communication network ("when the user has selected a desired service through operation the KB 34 (step 102), the PHS terminal PS1 radio-transmits a communication request to the local server LSV when the selected service is an ordinarily communication service. Upon receipt of the request from the PHS terminal PS1, the base station CS1 judges whether the request is a communication request or a broadcasting service request" (page 22, paragraph [0066] line 5 to page 23, paragraph [0067], line 3). "In this case, since the request is a communication request, on the basis of the received communication request, the base station CS1 allots to the PHS terminal PS1 a free communication channel among the plurality of communication channels, whereby communications with the PHS terminal PS1 are enabled. Subsequently, the PHS terminal PS1 requests a desired content item by use of the allotted communication channel (step 104) and obtains the content item from the communication channel (step 105) (page 23, paragraph [0068], lines 1-7)); and

a step of, when said delivery request information transmitted from said mobile communication terminal for requesting to deliver said first information is received by said information delivery device, obtaining said first information to be delivered from said database and transmitting the first information from a broadcast station by utilizing broadcast waves, encrypting said obtained first information to deliver them from a broadcast station by utilizing broadcast waves, and transmitting decrypting keys for decrypting said encrypted first information from said information delivery device to said terminal to which said information is to be delivered, said terminal being specified by said specifying information included in said delivery request information, while when said delivery request information transmitted from said

Art Unit: 2685

mobile communication terminal for requesting to deliver said second information is received by said information delivery device, obtaining said second information to be delivered from said database, encrypting said obtained second information and transmitting them together with a decrypting key for decoding said encrypted second information from said information delivery device to said terminal to which said information is to be delivered, said terminal being specified by said specifying information included in said delivery request information (See (page 23, paragraph [0069], lines 1-9) and (page 23, paragraph [0068], lines 1-7). "When the PHS terminal PS1 requests the local server LSV to provide a desired content, an encryption key for the content items of the B company is passed from the local server LSV to the PHS terminal PS1. When the user performs a predetermined operation on the basis of the encryption key, the user is permitted to read the contents of the electronic newspaper of company B" (page 24, paragraph [0070], lines 6-11)).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-8 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 10200493 to Iwasaki et al. in view of Luegering (DE 4424380 A1) (English Translation).

As to claim 6, the Iwasaki reference discloses an information delivery system as defined in claim 5, wherein said mobile communication terminal comprising:

first receiving means for receiving information broadcast from said broadcast station (“when the service selected by the user is a broadcasting service, the PHS terminal PS1 radio-transmits to the local server LSV a request for a desired broadcasting program service (step 106). Upon receipt of the request, the base station CS1 releases the communication channel and allots a dedicated communication channel (a broadcasting channel) through which broadcasting is performed at all times. Subsequently, the PHS terminal PS1 obtains the desired content item from the allotted broadcasting channel (step 107)” (page 23, paragraph [0069], lines 1-9));

second receiving means for receiving information delivered from said information delivery device (“in this case, since the request is a communication request, on the basis of the received communication request, the base station CS1 allots to the PHS terminal PS1 a free communication channel among the plurality of communication channels, whereby communications with the PHS terminal PS1 are enabled. Subsequently, the PHS terminal PS1 requests a desired content item by use of the allotted communication channel (step 104) and obtains the content item from the communication channel (step 105) (page 23, paragraph [0068], lines 1-7)), and

means for specifying the mobile communication terminal as a destination to which said information is to be delivered (“when the user has selected a desired service through operation of the KB 34 (step 102), the PHS terminal PS1 radio-transmits a communication request to the local server LSV when the selected service is an ordinarily communication” (page 23, paragraph [0066], lines 5-8). “The base station CS1 allots to the PHS terminal PS1 a free communication channel among the plurality of communication channels, whereby communications with the PHS terminal PS1 are enabled. Subsequently, the PHS terminal PS1 requests a desired content item by

use of the allotted communication channel (step 104) and obtains the content item from the communication channel (step 105) (page 23, paragraph [0068], lines 2-7));

and wherein said information delivery device transmits said first information when said mobile communication terminal requests to deliver said first information, while said information delivery device transmits said second information and said decrypting keys therefor when said mobile communication terminal requests to deliver said second information (See (page 23, paragraph [0068], lines 1-7). "When the PHS terminal PS1 requests the local server LSV to provide a desired content, an encryption key for the content items of the B company is passed from the local server LSV to the PHS terminal PS1" (page 24, paragraph [0070], lines 6-8));

said mobile communication terminal and said information receiving terminal receive, when said mobile communication terminal requests to deliver said first information, said first information by said first receiving means and the decrypting keys for said first information by said second receiving means, while said mobile communication terminal and said information receiving terminal receives, when said mobile communication terminal requests to deliver said second information, said second information and the decrypting keys therefor by said second receiving means (See (page 23, paragraph [0069], lines 1-9) and (page 23, paragraph [0068], lines 1-7). "When the PHS terminal PS1 requests the local server LSV to provide a desired content, an encryption key for the content items of the B company is passed from the local server LSV to the PHS terminal PS1" (page 24, paragraph [0070], lines 6-8)).

However, the Iwasaki reference does not disclose means for specifying the information receiving terminal as a destination to which said information is to be delivered. The Luegering reference teaches means for specifying the information receiving terminal as a destination to

which said information is to be delivered (“in the method according to the invention, the program request is transmitted to the managing means 6 by means of a subscriber’s mobile telephone unit 7 via a digital mobile telephone network 8 and a data line 9” (page 4, lines 21-23). “A broadcast transmitter 1 transmits coded video signal which are received by a receiver 2. Display thereof on the display screen 3 or record thereof using a video recorder 4 requires a decoding step in a decoding means 5” (page 4, lines 9-12)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Iwasaki wherein the mobile communication terminal comprises means for specifying the information receiving terminal as a destination to which said information is to be delivered, as taught by Luegering, in order to enable further interactive broadcast applications in a mobile environment.

As to claim 7, Iwasaki-Luegering discloses an information delivery system as defined in claim 6. The Iwasaki reference further discloses the database further stores guide information for guiding said first information; said broadcast station obtains said guide information together with said first information and broadcasts said first information and said guide information by utilizing broadcast channels different from each other; and said first receiving means of said mobile communication terminal includes a receiving channel for receiving said first information and another receiving channel for receiving said guide information. (“a broadcasting service is provided by use of channel 2; and PHS terminals PS2 and PS3 receive the same content item. A PHS terminal PS4 performs ordinary communications through channel 4” (page 21, paragraph [0063], lines 2-5). “The channel for providing a broadcasting service is called a broadcast channel, and the channel for providing an ordinary communication service is called a

Art Unit: 2685

communication channel" (page 21, paragraph [0064], lines 6-9). "The user of the PHS terminal PS1 performs a predetermined service-menu request operation by use of the KB 34 of the PHS terminal PS1 in order to request the local server LSV for a service menu. In response thereto, the PHS terminal PS1 radio-transmits a link-channel establishment request to the public digital network INW (the base station CS1-CSm in this case) by use of a physical slot for control. Upon receipt of the link-channel establishment request, the base station CS1 allocates a link channel and designates a physical slot for communications (communication channel) for the PHS terminal PS1" (page 25, paragraph [0072], line 1 to page 21, paragraph [0073], line 3). "After establishment of the link, the PHS terminal PS1 requests the service menu" (page 25, paragraph [0073], lines 7-8). "The transferred service menu is displayed on the DP 33 of the PHS terminal PS1. When the user selects a desired content item (program information) from the displayed service menu, the PHS terminal PS1 radio-transmits a request for a desired content item (a broadcasting service request) to the local server LSV via the base station CS1" (page 25, paragraph [0074], lines 1-5). "Upon receipt of the broadcasting service request, the local server LSV memorizes information regarding the PHS terminal PS1 which has transmitted the request and temporarily releases the communication channel for the PHS terminal PS1. The PHS terminal PS1 transmits the link-channel establishment again. The base station CS1 and the local server LSV identify the memorized PHS terminal PS1 from the incoming identification code of the link-channel establishment request message and allots a broadcasting channel through link-channel allocation. Since a content item is always distributed to the broadcasting channel, the PHS terminal PS1 can receive the content simultaneously with the operation of capturing the allocated broadcasting channel" (page 25, paragraph [0075], lines 1-11));

As to claim 8, Iwasaki-Luegering discloses an information delivery system as defined in claim 7. The Iwasaki reference further discloses the guide information includes identification information for identifying said first information; and said mobile communication terminal requests to deliver said first information by transmitting said identification information to said information delivery device, said identification information being received together with said guide information by said first receiving means (“after establishment of the link, the PHS terminal PS1 requests the service menu” (page 25, paragraph [0073], lines 7-8). “The transferred service menu is displayed on the DP 33 of the PHS terminal PS1. When the user selects a desired content item (program information) from the displayed service menu, the PHS terminal PS1 radio-transmits a request for a desired content item (a broadcasting service request) to the local server LSV via the base station CS1” (page 25, paragraph [0074], lines 1-5)).

As to claim 12, the Iwasaki reference discloses a mobile communication terminal comprising:

requesting means for requesting an information delivery device to deliver information, said device being connected to a mobile communication network (“when the user has selected a desired service through operation of the KB 34 (step 102), the PHS terminal PS1 radio-transmits a communication request to the local server LSV when the selected service is an ordinarily communication” (page 23, paragraph [0066], lines 5-8));

first receiving means for receiving first information broadcast from said broadcast station (“when the service selected by the user is a broadcasting service, the PHS terminal PS1 radio-transmits to the local server LSV a request for a desired broadcasting program service (step 106). Upon receipt of the request, the base station CS1 releases the communication channel and allots

a dedicated communication channel (a broadcasting channel) through which broadcasting is performed at all times. Subsequently, the PHS terminal PS1 obtains the desired content item from the allotted broadcasting channel (step 107)" (page 23, paragraph [0069], lines 1-9));

second receiving means for receiving second information delivered from said information delivery device ("in this case, since the request is a communication request, on the basis of the received communication request, the base station CS1 allots to the PHS terminal PS1 a free communication channel among the plurality of communication channels, whereby communications with the PHS terminal PS1 are enabled. Subsequently, the PHS terminal PS1 requests a desired content item by use of the allotted communication channel (step 104) and obtains the content item from the communication channel (step 105) (page 23, paragraph [0068], lines 1-7)); and

means for specifying, to said information delivery device, the mobile communication terminal capable of receiving said first and second information as a destination to which said information is to be delivered ("when the user has selected a desired service through operation of the KB 34 (step 102), the PHS terminal PS1 radio-transmits a communication request to the local server LSV when the selected service is an ordinarily communication" (page 23, paragraph [0066], lines 5-8). "The base station CS1 allots to the PHS terminal PS1 a free communication channel among the plurality of communication channels, whereby communications with the PHS terminal PS1 are enabled. Subsequently, the PHS terminal PS1 requests a desired content item by use of the allotted communication channel (step 104) and obtains the content item from the communication channel (step 105) (page 23, paragraph [0068], lines 2-7). For broadcasting service, "upon receipt of the request, the base station CS1 releases the communication channel

Art Unit: 2685

and allots a dedicated communication channel (a broadcasting channel) through which broadcasting is performed at all times. Subsequently, the PHS terminal PS1 obtains the desired content item from the allotted broadcasting channel (step 107)" (page 23, paragraph [0069], lines 1-9)).

However, the Iwasaki reference does not disclose means for specifying, to said information delivery device, another information receiving terminal capable of receiving said first and second information as a destination to which said information is to be delivered. The Luegering reference teaches means for specifying, to said information delivery device, another information receiving terminal capable of receiving said first and second information as a destination to which said information is to be delivered ("in the method according to the invention, the program request is transmitted to the managing means 6 by means of a subscriber's mobile telephone unit 7 via a digital mobile telephone network 8 and a data line 9" (page 4, lines 21-23). "A broadcast transmitter 1 transmits coded video signal which are received by a receiver 2. Display thereof on the display screen 3 or record thereof using a video recorder 4 requires a decoding step in a decoding means 5" (page 4, lines 9-12)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the terminal of Iwasaki to comprise means for specifying, to said information delivery device, another information receiving terminal capable of receiving said first and second information as a destination to which said information is to be delivered, as taught by Luegering, in order to enable further interactive broadcast applications in a mobile environment.

Art Unit: 2685

As to claim 13, Iwasaki-Luegering discloses mobile communication terminal as defined in claim 12. The Iwasaki reference further discloses the second receiving means receives said second information and also decrypting keys for decrypting said first information and said second information (See (page 23, paragraph [0069], lines 1-9) and (page 23, paragraph [0068], lines 1-7). "When the PHS terminal PS1 requests the local server LSV to provide a desired content, an encryption key for the content items of the B company is passed from the local server LSV to the PHS terminal PS1" (page 24, paragraph [0070], lines 6-8)).

As to claim 14, Iwasaki-Luegering discloses a mobile communication terminal as defined in any one of claims 12 to 13, further comprising radio wireless data communication means served by a portable telephone network, for making a wireless data communication via said network, and wherein said information delivering request from said requesting means is made by utilizing the wireless data communication via said portable telephone network (Luegering; "in the method according to the invention, the program request is transmitted to the managing means 6 by means of a subscriber's mobile telephone unit 7 via a digital mobile telephone network 8 and a data line 9" (page 4, lines 21-23)).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Dusse (U.S. Patent Application Publication 2002/0068554 A1) discloses method and system facilitating web based provisioning of two-way mobile communications devices.

Art Unit: 2685

b. Tsurumi (U.S. Patent 5,689,081) discloses network karaoke system of broadcast type having supplementary communication channel.

c. Bradley et al. (U.S. Patent 5,285,272) discloses video store and forward on demand apparatus and method.

d. Goodman (U.S. Patent 5,694,455) discloses mobile audio program selection system using public switched telephone network.

e. Kleiman (U.S. Patent 5,959,945) discloses system for selectively distributing music to a plurality of jukeboxes.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy K Le whose telephone number is 703-305-5660. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Duy Le
January 28, 2004


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